Remarks

1. Summary of Office Action

In the Office Action mailed May 3, 2007, the Examiner rejected claims 1-9, 15, 16-21, and 26-34 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,263,216 (hereinafter "Seydoux"). Further, the Examiner rejected claims 10-14, 22-25, and 35-39 as being obvious over a combination of Seydoux and U.S. Patent Application Pub. No. 2003/0231550 (hereinafter "Macfarlane").

2. Amendments to the Claims

Applicants have cancelled claims 11, 12, 23, 24, and 36-38, and amended claims 1, 9, 10, 13-15, 21, 22, 25, 26, 30, 32, 34, 35, and 39 to recite the invention more particularly and/or clearly, as fully supported by Applicants' specification.

Presently pending in this application are claims 1-10, 13-22, 25-35, and 39, of which claims 1, 15, and 26 are independent and the remainder are dependent.

3. Response to §102 Claim Rejections

As noted above, the Examiner rejected claims 1-9, 15, 16-21, and 26-34 as being anticipated by Seydoux. Applicants respectfully traverse the rejections of those claims, because Seydoux fails to disclose or suggest each and every element of any of those claims, as would be required to establish an anticipation rejection.

As now amended, independent claim 1 for instance, recites a method comprising: (i) providing a docking apparatus coupled to interface with a vehicle, (ii) communicatively coupling a remote communications device to the docking apparatus, *wherein the remote communications device does not include a telematics functionality module, and* (iii) *the docking apparatus communicating with the remote communications*

device to include the telematics functionality module in a memory of the remote communications device. (Emphasis added). (*See* the claim listing above for how other independent claims 15 and 26 now recite these limitations (among others). Further, the dependent claims each depend from claim 1, 15, or 16, and therefore necessarily include the limitations of a respective independent claim)).

In accordance with the presently claimed invention, when a remote communications device that does not include a telematics functionality module is communicatively coupled to a docking apparatus, the docking apparatus may communicate with the remote communications device to include the telematics functionality module in a memory of the remote communications device. This way, the remote communications device may be enabled with the telematics functionality.

To illustrate, in one example, the docking apparatus may rewrite at least a portion of the memory of the remote communications device to include the telematics functionality module. In another example, the docking apparatus may download the telematics functionality module into the memory of the remote communications device. In yet another example, the docking apparatus may communicate a download location to the remote communications device such that the device can download the telematics functionality module from that location. Other examples may be possible as well.

Seydoux teaches an apparatus for a hands-free operation of a portable radiotelephone in a vehicle. In this regard, the apparatus of Seydoux includes a car adaptor (or kit) that connects to the radiotelephone. Further, the apparatus includes an add-on circuit 40 that is connected to the car adaptor to improve the hands-free operation. (*See*, *e.g.*, Seydoux, Figure 1and the accompanying text).

Seydoux, for example, discloses that the apparatus can read the contents of a telephone directory of the radiotelephone (e.g., the directory stored in a SIM card of the radiotelephone), and copy the directory from the radiotelephone for storage in a car directory located in the circuit 40. (*See* Seydoux, at col. 9, line 48, to col. 10, line 18).

Seydoux, however, does not disclose or suggest any arrangement that operates according to the claimed invention that involves, *inter alia*, "communicatively coupling a remote communications device to the docking apparatus, wherein the remote communications device *does not include* a telematics functionality module", and "*the docking apparatus communicating with the remote communications device* ***to include the telematics functionality module in a memory of the remote communications device***".

Because Seydoux does not teach or suggest the invention as recited in any of claims 1-9, 15, 16-21, and 26-34, Seydoux fails to anticipate these claims under 35 U.S.C. § 102.

3. Response to §103 Claim Rejections

Further, the Examiner rejected claims 10-14, 22-25, and 35-39 on grounds of obviousness over a combination of Seydoux and Macfarlane.

Claims 11, 12, 23, 24, and 36-38 have been cancelled, thus rendering the rejections of those claims moot. Further, Applicants respectfully traverse the rejections of the remaining claims, because the cited combination fails to disclose or suggest every element of any of these claims, as would be required to establish a *prima facie* case of obviousness under M.P.E.P. § 2143.

Each of claims 10, 13, 14, 22, 25, 35, and 39 depends from independent claim 1, 15, or 26 and therefore incorporates all of the elements of claim 1, 15, or 26. As

discussed above, Seydoux fails teach or suggest the invention as recited in any of the independent claims. Therefore, Seydoux also fails to teach or suggest the invention as recited in any of dependent claims 10, 13, 14, 22, 25, 35, and 39.

Further, Applicants respectfully submit that MacFarlane fails to make up for the deficiencies in Seydoux noted above.

Macfarlane describes a wireless key system for a vehicle, including a wireless key fob coupled to a telematics unit. For instance, the key fob can be inserted into the vehicle's docking mechanism that is connected to the telematics unit. The key fob may include an electrical connector (350) "for establishing and maintaining electrical connections with docking mechanism 330". Communications between the key fob and the telematics unit may be then sent over an electrical connection between the docking mechanism and the telematics unit. (*See* Macfarlane, Figure 3, and paragraphs 0043-0052).

For instance, in paragraph 0047, Macfarlane describes that "[k]ey fob 320, when inserted into docking mechanism 330, may continue to receive voice commands and send communication to the telematics by using the vehicle communications bus or a cable between docking mechanism 330 and the telematics unit." Similarly, in paragraph 0052, Macfarlane notes that "[w]hen the key fob is located in a docking station, the function message [from the key fob] may be sent through a connector and over electrical wires to the telematics unit."

Thus, in Macfarlane, the docking mechanism merely serves as a means to electrically connect the key fob to a separate telematics unit.

But Macfarlane does not disclose or suggest any system where a remote communications device that does not include a telematics functionality module is communicatively coupled to the docking apparatus, and where the ***docking apparatus*** *communicates with the remote communications device* ***to include*** *the telematics functionality module* ***in a memory*** *of the remote communications device.*

Because the cited combination fails to disclose or suggest all of the limitations of any of claims 10, 13, 14, 22, 25, 35, and 39, the cited combination fails to render these claims obvious under 35 U.S.C. § 103.

4. Conclusion

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Therefore, Applicants respectfully request favorable reconsideration and allowance of those claims.

Respectfully submitted,

Date: September 4, 2007 By: /Joanna Skyles/

Joanna Skyles
Reg. No. 54,454

Temic Automotive of North America, Inc.
Patents and Licenses
21440 West Lake Cook Road
Deer Park, IL
Tel.: (847) 862-0274
Fax: (847) 862-8308